

Summary

Description of the Proposal

The Washington State Department of Natural Resources is proposing a landscape plan for approximately 15,700 acres of forested state trust lands in the Lake Whatcom Landscape Planning Area.

Objective of the Proposed Action

The proposed action is the adoption, by the Board of Natural Resources, of a landscape plan for state trust lands in the Lake Whatcom Landscape Planning Area in accordance with the policies of the 1992 Forest Resource Plan.

Need

The Department needs to prepare a landscape plan that will guide both short-term and long-term management of state trust lands in the Lake Whatcom Landscape Planning Area, consistent with DNR's Forest Resource Plan (1992), DNR's Habitat Conservation Plan (1997), Forest Practices Rules and the Engrossed Second Substitute Senate Bill 6731 (E2SSB 6731) [2000 Washington Laws Ch. 205] passed in 2000.

Purpose

The purpose of the landscape plan is to develop a set of management strategies that will provide environmental protection on DNR-managed lands and contribute to water quality in the planning area, while also preserving the economic viability of those same lands for the long-term benefit of the trust beneficiaries.

Relationship to Ongoing and Future Regulatory and Planning Efforts

Activities on state trust lands in the Lake Whatcom Landscape Planning Area will be guided by the Landscape Plan but also will be influenced in the future, at least in part, by:

- Design of individual state timber sales and road planning;
- Any updates to the 1992 Forest Resource Plan;
- Implementation of a long-term conservation strategy for marbled murrelets that is to be developed under DNR's HCP, once "occupancy" surveys for marbled murrelet in designated habitat are completed;
- Implementation adjustments, if any, to DNR's HCP;
- Outcomes of the Washington State Department of Ecology TMDL study and subsequent regulatory action relative to 303(d) listed water bodies;
- Future Forest Practices Rule changes.
- The Watershed Management Plan being prepared for WRIA 1, which will outline policies and programs to manage water supplies, protect water quality and restore fish habitat over the next 20 years.
- Sustainable Harvest Calculation results.

Alternative Courses of Action Considered

DNR and the Lake Whatcom DNR Landscape Planning Committee met five times from January through April 2003 to develop and reach consensus on a Preferred Alternative consistent with the objectives for the Lake Whatcom planning area. Three alternatives have been identified for the DEIS:

- **No Action Alternative:** This alternative incorporates the Department's existing policies, legal requirements and management commitments, including the Forest Resource Plan, Forest Practices Rules and Habitat Conservation Plan. It is identical to the No Action Alternative presented in the September 2002 Lake Whatcom PDEIS. The No Action Alternative reflects management strategies prior to the E2SSB 6731 legislation, as a point of comparison for other alternatives. This alternative will not be implemented in the Lake Whatcom Landscape. Analysis shows that approximately 72 percent of the landscape would be available for active forest management under this alternative.
- **Preferred Alternative:** The consensus alternative adopted by the DNR-Lake Whatcom Landscape Planning Committee adds the Legislative requirements of E2SSB 6731 [2000 Washington Laws Chapter 205] to the No Action Alternative. This includes adding riparian buffers to Type 5 streams, prohibiting road construction on unstable slopes, carefully regulating harvest and road construction on potentially unstable slopes, and providing inter-jurisdictional review of site specific activities. In addition to the legislative requirements, under the Preferred Alternative, DNR would also commit to establishment of a government-to-government agreement for cultural resources protection and tribal access, completion of road maintenance and abandonment work within four years of Board of Natural Resources approval of the Lake Whatcom Landscape Plan, no aerial application of herbicides or fertilizer, and pursuit of an alternative principal haul route for harvesting operations on Lookout Mountain. The Preferred Alternative reduces the geographic area available for active forest management to approximately 51 percent of the landscape.
- **Alternative 3:** This alternative was carried forward to the DEIS from the PDEIS at the Committee's request to bracket the range of options for simultaneously providing environmental protection and trust revenue. It further reduces the geographic area available for active management to approximately 37 percent of the landscape.

Summary of Impacts and Significant Adverse Impacts that Cannot be Mitigated

Relative to the Preferred Alternative, the department cannot mitigate the following significant adverse impacts:

- Naturally occurring slope failures and landslides in areas where there is no active forest management activity.
- With current knowledge it is difficult to determine how significant the adverse impacts to habitat would be, and the effectiveness of mitigation efforts. These could include habitat fragmentation, loss of forest cover, increased forest edge and potentially increased

sedimentation due to roads, reduced ecological value or habitat suitability of new roads in currently unroaded areas, and unavoidable loss of snags.

- Since there would be no aerial application of herbicides or fertilizer the cost of controlling competing vegetation and/or noxious weeds could potentially increase, and opportunities to improve tree growth through fertilization would likely be forsaken.
- Possible conflicts with Native American traditional uses of medicinal plants may impact commercial harvesting of special forest products.
- Unknown cultural resource sites could be affected by forest management activities and recreational use.

Mitigation Measures and their Effectiveness

Through the planning and EIS process three broad areas of concern regarding potential impacts have been identified. These are slope stability, water quality and cultural resources. The Preferred Alternative is a set of management strategies that effectively mitigates probable significant adverse impacts in these areas. Major aspects of this mitigation are described below:

Slope stability mitigation measures:

- Follow current Watershed Analysis harvesting and road building prescriptions designed to maintain slope stability in high hazard mass wasting areas.
- Eliminate road construction on all unstable slopes and almost all potentially unstable slopes.
- Use on-site specialist evaluation of proposed activities on potentially unstable slopes to identify and avoid unstable areas.
- Consider specialist and inter-jurisdictional review recommendations for proposed activities on potentially unstable slopes.
- Address slope stability issues related to existing roads within four years of plan approval through implementation of a Road Maintenance and Abandonment Plan.

Water quality mitigation measures:

- Follow slope stability mitigation described above.
- Provide forested buffers on each side of streams averaging 160 feet wide on fish bearing streams, 100 feet wide on perennial streams and 33 feet wide on seasonal streams.
- Provide forested buffers around wetlands averaging 160 feet wide on wetlands larger than one acre and 100 feet wide on wetlands greater than a quarter of an acre but less than one acre.
- Follow Forest Practices Rules and Watershed Analysis Prescriptions regarding road construction and maintenance.
- Restrict wet weather use of roads when sediment has potential to enter streams.
- Apply Watershed Analysis Prescriptions that restrict harvesting in watershed sub-basins that are sensitive to changes in hydrologic maturity.
- Limit the silvicultural use of chemicals and eliminate aerial application of herbicides or fertilizer.

Cultural resource mitigation measures:

- Follow existing applicable laws and policies relating to cultural resources.
- Use existing available information sources to identify known cultural resources that may be impacted by management activities and meet with affected tribes with the objective of agreeing on a plan to protect the archaeological or cultural value.
- Develop government-to-government agreements with individual tribes that address issues of cultural resource protection.

See the Preferred Alternative for a complete list of its management strategies.

Significant Areas of Controversy and Uncertainty, if any, and the Issues to be Resolved

Though DNR is confident, based on the analysis of the Preferred Alternative, that issues of public safety and water quality have been adequately addressed, some parties may continue to express concerns about the risk of slope failure and related potential for sedimentation in relation to timber harvest or road construction or presence of existing roads in the planning area. In addition, there is uncertainty about the source of mercury in Lake Whatcom waters.

Significant Impacts that will Narrow the Range or Degree of Beneficial Uses or Pose Long-Term Risks to Human Health or the Environment

Over time, under the Preferred Alternative (and Alternative 3 as well) a significant number of stands will shift toward late seral conditions, becoming more prone to insect and disease activity.

Under the Preferred Alternative and to a greater extent under Alternative 3, reduced timber harvest activity will consequently result in less revenue for trust beneficiaries statewide and locally.

SEPA Process

The Department has used input gained from expanded scoping through the PDEIS to develop this Draft EIS. The Department plans to submit the Final Lake Whatcom Landscape Plan Proposal and the final environmental impact statement to the Board of Natural Resources in December 2003. Implementation of the Lake Whatcom Landscape Plan will follow approval of the Lake Whatcom Landscape Plan Proposal by the Board.

The Lake Whatcom Landscape Plan Proposal has been developed under the direction of the 1992 Forest Resource Plan, DNR's Habitat Conservation Plan (HCP) and 2000 Washington Laws Ch. 205. The proposal builds on the analysis of the final EIS for the Forest Resource Plan and Final EIS for the HCP (which are incorporated by reference).

Introduction

Purpose of the Draft Environmental Impact Statement

The EIS process is a tool for identifying and analyzing probable adverse environmental impacts, reasonable alternatives, and possible mitigation. Through the EIS process, areas of controversy and other significant issues are identified early when the opportunities to consider a broad range of solutions are greatest. The DNR identified an EIS as one way to provide adequate input and analysis for the responsible official and the Board of Natural Resources to use in making a reasoned judgment about potentially significant impacts associated with forest management activities in the Lake Whatcom Landscape Planning Area.

The Department's Legal Obligations

The Department has a legal duty to produce long-term income for specific trusts, which are the trust beneficiaries. State lands in the Lake Whatcom Landscape Planning Area are managed for the Scientific School (Washington State University [WSU]), Capitol Building, Agricultural School (WSU), Common School (K-12 schools), Forest Board Transfer (Whatcom and Skagit counties), and Forest Board Purchase (Whatcom County) trusts. Revenues from Forest Board lands help support county services through junior taxing districts, and benefit the state general fund. The largest beneficiaries of the Forest Board Transfer and Purchase trusts are the Bellingham and Mount Baker school districts, and Whatcom and Skagit county road funds, and the state general fund.

The Board of Natural Resources

When the Washington State Department of Natural Resources was created in 1957, the Board of Natural Resources was formed to ensure that decisions about acquisition, management and disposition of lands and resources under the Department's jurisdiction are based on sound principles. The board establishes policies to guide DNR in managing the state's lands and resources. The board guides decisions about state trust lands, most of which were given at statehood to provide funds to build public schools, universities and more. The board will be asked to approve the proposed final Lake Whatcom Landscape Plan. DNR will begin plan implementation after board approval.

Members of the board are from institutions that benefit from the trusts, and they also provide the perspective of the public. By statute, members include the Commissioner of Public Lands; the Governor or the Governor's designee; the Superintendent of Public Instruction; the Dean of the University of Washington College of Forest Resources; the Dean of the Washington State University College of Agriculture and Home Economics; and a county commissioner from a county that contains Forest Board land.

Lake Whatcom DNR Landscape Planning Committee

DNR has been working with various groups and the public to develop a landscape plan, as guided by 2000 Washington Laws Chapter 205.

The Lake Whatcom DNR Landscape Planning Committee (hereafter called the Committee) was formed to provide input to DNR during the planning process. This interjurisdictional committee includes representatives from Whatcom County; Water District 10; City of Bellingham; the

Washington State departments of Health, Ecology, and Fish and Wildlife; the Lummi Tribe; and two private citizens. The Legislature's charge to the Committee was to advise DNR during the development of a landscape plan for state lands in the Lake Whatcom area. The Legislature specified a number of topics to be addressed in the landscape plan, including protection for streams and unstable slopes.

In addition to the Committee, DNR has been consulting with other major forest landowners, the Lake Whatcom Management Committee and the Forestry Forum, other organizations, watershed residents, the Lummi and Nooksack tribes, and state and local elected officials.

Lake Whatcom Landscape Planning Area: an Overview

The Lake Whatcom Landscape Planning Area encompasses approximately 15,700 acres¹ of state trust lands, primarily in western Whatcom County. The planning area lies east and southeast of the city of Bellingham and includes lands within the Lake Whatcom watershed boundary, a block of lands west of Cain and Reed lakes, and small, isolated parcels immediately adjacent to the watershed. It extends into Skagit County on the southern edge. The Lake Whatcom Landscape Plan would apply only to state trust lands within the landscape planning area.

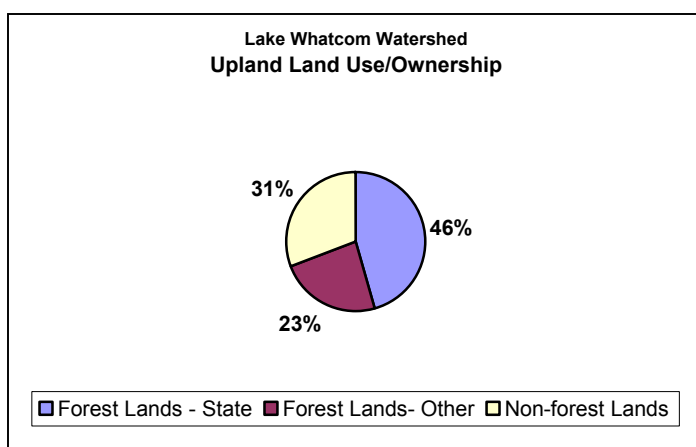


Figure 1: Upland Land Use/Ownership Pattern in the Lake Whatcom Watershed
(does not include lands outside watershed but within landscape planning area)
State Trust Lands in Lake Whatcom Landscape Planning Area

State trust lands in the Lake Whatcom Landscape generate revenue for seven different trusts. Each trust's acreage is shown below in Table 1.

¹ This updated acreage figure is slightly larger than the 15,657 acres identified in the PDEIS. It reflects GIS changes to DNR ownership boundaries. This minor addition of acreage has no significant effect on findings from analysis based on the smaller acreage figure.

Table 1: Trust acreages in the Lake Whatcom Planning Area

Trust	Acres	Percent
Forest Board Transfer Lands (Whatcom County)	8,473	54
Forest Board Transfer Lands (Skagit County)	690	4
Forest Board Purchase Lands (Whatcom County)	881	6
Common School (K-12 schools)	4,627	30
Agricultural School (WSU)	193	1
Capitol Buildings	286	2
Scientific School (WSU)	557	3
Total trust acres	15,707	100

Description of the Proposal and Alternatives

Objectives, Location and Description of the Planning Process

Objectives of the Proposal

The Department must prepare a landscape plan to guide both short-term and long-term management of state trust lands in the Lake Whatcom Landscape Planning Area, consistent with DNR's Forest Resource Plan (1992), DNR's Habitat Conservation Plan (1997) and the Engrossed Second Substitute Senate Bill 6731 [now 2000 Washington Laws Chapter 205], passed in 2000.

The proposed action is the adoption, by the Board of Natural Resources, of a landscape plan for state trust lands, in accordance with the policies of the 1992 Forest Resource Plan.

The purpose of the landscape plan is to develop a management strategy which will simultaneously provide environmental protection on DNR-managed lands, contribute to water quality in the planning area, and assure the economic viability of trust lands for the long-term benefit of trust beneficiaries.

Description of the Physical Location

The Lake Whatcom Landscape Planning Area encompasses approximately 15,700 acres of forested state trust lands in western Whatcom County. The planning area lies immediately east and southeast of the City of Bellingham, and includes lands within the Lake Whatcom watershed boundary, a block of lands west of Cain and Reed lakes and small, isolated parcels immediately adjacent to the watershed.

Description of the Alternatives

The three alternatives appear in table form, showing the strategies for each objective.